

# Morgan Lewis

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February 3, 2023

Hon. Paul A. Engelmayer  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, NY 10007

Re: D.J.C.V., et. al. v. United States of America, No. 20-cv-5747 (PAE)

Dear Judge Engelmayer:

Following a meet and confer with the Government after receipt of the Court's February 2, 2023 Order, we write on behalf of both parties in the above-captioned matter to respectfully request an adjournment of the February 6, 2023 case management conference until March 13, 2023, or any other date after discovery is closed that is convenient for the Court.

The adjournment of the proceedings will allow the parties to complete outstanding discovery in this matter, specifically, the Government's responses to Plaintiff's written questions to Chief Brian Hastings; and the outstanding depositions of Deputy Chief Roggow and the Rule 30(b)(6) deponent(s) as selected by the Government. As to this outstanding discovery, the Government has agreed to have the written responses to the pending Chief Hasting's questions submitted to the Plaintiffs by February 10, 2023. The parties have further agreed to have the depositions of Deputy Chief Roggow and the Rule 30(b)(6) deponent(s) scheduled and completed by March 6, 2023. Upon completion of discovery, the parties would submit their initial briefing on the jurisdiction issue on March 27, 2023, with reply briefs being due on April 27, 2023.

On behalf of the parties, we appreciate and thank the Court for the continued courtesies extended in this matter.


Sincerely,

/s/ Zane D. Memeger

Zane David Memeger

The Court thanks counsel for their letter and adjourns the conference in the above-captioned case from February 6, 2023 to March 27, 2023 at 3 p.m. The Court orders parties to submit a joint letter, in accordance with its Individual Rules, prior to the conference. This conference will be held telephonically. The parties should call into the Court's dedicated conference line at (888) 363-4749, and enter Access Code 468-4906, followed by the pound (#) key. SO ORDERED.

Cc: All Counsel of Record (via ECF and email)



PAUL A. ENGELMAYER  
United States District Judge  
February 3, 2023

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